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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/829,101	04/21/2004	William J. Lutkus	0275V-000915	5999		
27572	1590 03/23/2	05	EXAM	EXAMINER		
HARNESS, DICKEY & PIERCE, P.L.C.			MITCHELL, K.	MITCHELL, KATHERINE W		
P.O. BOX 828						
BLOOMFIEL	D HILLS, MI 483	ART UNIT	PAPER NUMBER			
	*		3677			

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Examner			·		
Examiner		A	Application No.	Applicant(s)	
Ashorite w. Mitchell   3677		0# 0 \$	10/829,101	LUTKUS ET AL	
The MAILING DATE of this communication appears on the cover sheet with the correspondence address = Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  THE MAILING DATE OF THIS COMMUNICATION.  Elements of time may be evirable under the provision of 37 CFR 1.136(a). In no event, however, may a reply be timely filled the period for reply appeals under the provision of 37 CFR 1.136(a). In no event, however, may a reply be timely filled the period for reply appeals under the period for reply appeals the period for reply		Unice Action Summary	Exa <b>M</b> n <b>er</b>	A/t Unit	
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This action is FINAL.   2b)   This action is non-final.   3)   Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.	THE - Exte afte - If th - If NO - Fail Any	MAILING DATE OF THIS COMMUNICATION. ensions of time may be available under the provisions of 37 CFR 1.13 r SIX (6) MONTHS from the mailing date of this communication. e period for reply specified above is less than thirty (30) days, a reply operiod for reply is specified above, the maximum statutory period we ure to reply within the set or extended period for reply will, by statute, reply received by the Office later than three months after the mailing	86(a). In no event, howeve within the statutory minim "ill apply and will expire SIX cause the application to be	r, may a reply be timely filed  um of thirty (30) days will be considered timely.  (6) MONTHS from the mailing date of this communication and the communication of the communicat	nication.
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Application/Control Number: 10/829,101

Art Unit: 3677

## **DETAILED ACTION**

## Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - Claims 1-10, drawn to method of coating a fastener, classified in class
     470, subclass 8.
  - II. Claims 11-18, drawn to fastener, classified in class 411, subclass 438.
- 2. The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the process could be used to coat components of the same metal.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

3. A telephone call was made to Robert Siminski on 3/17/2005 to request an oral election to the above restriction requirement, but did not result in an election being made.

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4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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- 5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
- 6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katherine W. Mitchell whose telephone number is 703-305-6713. The examiner can normally be reached on Mon - Thurs 10 AM - 8 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on 703-306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

7. Note that examiner will have a new phone number after March 31, 2005: (571)272-7069.

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8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Katherine W Mitchell Examiner Art Unit 3677

Kwm 3/17/2005 Cothern Mithell